

From: [Morrison, Matthew W.](#)
To: [McKenna, Elizabeth](#)
Subject: Request
Date: Thursday, December 03, 2015 4:51:48 PM
Attachments: [image001.png](#)
[image002.png](#)

Hi Elizabeth – thanks again for speaking this afternoon. I sent you a text a few minutes ago, but I also wanted to follow up by email. Peter Rozee may be reaching out to Rick to make the same request that I tried to convey in our discussion. The gist of it is something like this – Teck is asking for either a retraction or at least a letter clarifying that the letter

- does not reflect any official determination of the Agency,
- does not reflect a particular position on any particular cost or category of costs, and
- cannot be used by either party to suggest the Agency's position in one manner or another, particularly in any proceeding in which the Agency is not a party.

Without a retraction or clarification, we are confident that the Tribes will have this letter as Exhibit A on Monday. The statements in the third paragraph are incredibly broad and sweeping, and we would almost prefer testimony that we could at least cross examine rather than be left with a tacit endorsement of the Tribes position that we cannot respond to.

I hope this is helpful. Many thanks,

Matt

Matthew W. Morrison

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